



# THE ERIE COUNTY LEGISLATURE

Session No. 23  
December 1, 2016

John J. Mills  
*Chair*

Joseph C. Lorigo  
*Majority Leader*

Thomas A. Loughran  
*Minority Leader*

Karen M. McCarthy  
*Clerk of the Legislature*

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## ROLL CALL

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INVOCATION – Mr. Burke

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PLEDGE OF ALLEGIANCE – Mr. Hardwick

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## TABLED ITEMS

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## ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

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MINUTES OF PREVIOUS MEETING - [Meeting No. 22](#)

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## PUBLIC HEARING

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## MISCELLANEOUS RESOLUTIONS:

LOUGHRAN

[Honoring Linda Berman for her Commitment to Good Government and as a Member of the Amherst Democratic Committee](#)

MILLS, LORIGO, LOUGHRAN, DIXON,  
HARDWICK, MORTON, RATH,  
BURKE, GRANT, MILLER-WILLIAMS  
& SAVAGE

[Honoring the United States Air Force Auxiliary Civil Air Patrol and to Acknowledge Their 75th Anniversary of Service to the Country](#)

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MILLS

[Honoring Eden High School Volleyball Coach Stephen Pierce for his 8th Consecutive State Championship](#)

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MILLS

[Honoring Orchard Park High School on Being Named a 2016 National Blue Ribbon School](#)

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RATH

[Honoring Russell Rosenberg for 50 Years of Active Service to the Newstead Fire Company and Dedication to the Community](#)

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## LOCAL LAWS:

## REFERENCE:

[LL INTRO. 3-1](#)  
[2/29/2016](#)

BURKE

A LL Entitled, "SPRAWL PREVENTION ACT" Otherwise Known as "MUNICIPAL AND REGIONAL INTERESTS ACT" for the Creation of an Erie County Planning Board

Finance &  
Management

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[LL INTRO. 4-2](#)  
[3/14/2016](#)

SAVAGE, LOUGHRAN &  
BURKE

A LL in the Relation to Prohibiting the Sale of Tobacco Products and Electronic-Cigarettes in Licensed Health Care Institutions, Pharmacies and Retail Establishments Containing Pharmacies in Erie County

Health &  
Human Services

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[LL INTRO. 5-1](#)  
[3/8/2016](#)

LORIGO

A LL Increasing Governmental Transparency

Government  
Affairs

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<a href="#">LL INTRO. 6-1 3/8/2016</a>	LORIGO	A LL Requiring Publication of Ethical and Financial Disclosure Information	Government Affairs
<a href="#">LL INTRO. 7-1 3/14/2016</a>	LOUGHRAN	A LL Repealing the Erie County Code of Ethics Established by Local Law Number Ten of Nineteen Hundred Eighty-Nine as Amended by Erie County Local Law Number Four of Nineteen Hundred Ninety-Four and Erie County Local Law Number Four of Two Thousand and Fifteen, and Establishing a New Erie County Code of Ethics	Government Affairs
<a href="#">LL INTRO. 8-1 4/11/2016</a>	MILLER-WILLIAMS & GRANT	A LL in the Relation to Prohibiting the Asking of Questions Regarding or Pertaining to an Applicant's Prior Criminal Convictions on Preliminary Employment	Government Affairs
<a href="#">LL INTRO. 10-1 7/11/2016</a>	LOUGHRAN & HARDWICK	Requiring a Minority Business Utilization and Women-Owned Business Utilization Commitment by Persons or Firms Contracting with the County of Erie Law	Government Affairs
<a href="#">LL INTRO. 13-1 8/8/2016</a>	SAVAGE & HARDWICK	A LL to Amend LL Intro. 2-4 (2016): A LL Preventing Head Trauma from Concussions in Youth Sports	Health & Human Services
<a href="#">LL INTRO. 14-1 8/29/2016</a>	BURKE	Pharmaceutical Water Pollution Act	Energy & Environment
<a href="#">LL INTRO. 15-1 9/19/2016</a>	LORIGO	2016 Full Pay for Military Service: A LL Amending the Erie County Charter to Require Full Pay for Military Personnel on Leave	Finance & Management
<a href="#">LL INTRO. 16-1 9/29/2016</a>	LORIGO	A LOCAL LAW amending Local Law No. 1-1959, Constituting the Erie County Charter, as Amended, in Relation to Recommendations Made by the Erie County Charter Revision Commission, Duly Organized Pursuant to Local Law No. 5-2015	Government Affairs
<a href="#">LL INTRO. 17-1 9/29/2016</a>	LORIGO & LOUGHRAN	A LL Repealing the Erie County Code of Ethics Established by Local Law Number Ten of Nineteen Hundred Eighty-Nine as Amended by Erie County Local Law Number Four of Nineteen Hundred Ninety-Four and Erie County Local Law Number Four of Two Thousand and Fifteen, and Establishing a New Erie County Code of Ethics	Government Affairs
<a href="#">LL INTRO. 18-1 11/10/2016</a>	BURKE	Erie County School Bus Safety Law	Public Safety

<a href="#">LL INTRO. 19-1</a> <a href="#">11/10/2016</a>	GRANT, SAVAGE, LOUGHRAN, BURKE & MILLER-WILLIAMS	A LL in Relation to Fair Housing in Erie County	Economic Development
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<a href="#">LL INTRO. 20-1</a> <a href="#">11/21/2016</a>	BURKE	Erie County Conversion Therapy Ban	Government Affairs
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**COMMITTEE REPORTS:**

**REFERENCE:**

<a href="#">REPORT NO. 1</a>	FINANCE & MANAGEMENT/BUDGET COMMITTEE		Tabled
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**LEGISLATOR RESOLUTIONS:**

**REFERENCE:**

<a href="#">INTRO. 23-1</a>	MILLS, LORIGO, RATH, DIXON, HARDWICK, MORTON, BURKE, MILLER-WILLIAMS, LOUGHRAN & GRANT	Support for Broadband Connects for Rural Opportunities (B-CROP) Act	Approved
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<a href="#">INTRO. 23-2</a>	BURKE & GRANT	Water Quality Concerns Following the Fire at the Former Bethlehem Steel Plant	Health & Human Services
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<a href="#">INTRO. 23-3</a>	MORTON	Opposition to Implementation of Sanctuary Policies in Erie County	Government Affairs
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**COMMUNICATIONS DISCHARGED FROM COMMITTEE:**

None

**SUSPENSION OF THE RULES:**

<a href="#">COMM. 23E-24</a>	COUNTY EXECUTIVE	Appointment to the Buffalo & EC Public Library Board of Directors	Community Enrichment
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<a href="#">COMM. 23E-25</a>	COUNTY EXECUTIVE	EC Sewer District No. 2 - NYSEFC Capital Project & Capital Account C.00004 Close Out	Energy & Environment
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<a href="#">COMM. 23E-26</a>	COUNTY EXECUTIVE	EC Sewer District No. 5 - NYSEFC Capital Project Close Out, C.00035 Funds Transfer - Debt Service Fund	Energy & Environment
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<a href="#">COMM. 23E-27</a>	COUNTY EXECUTIVE	Levy & Apportionment of EC Real Property Tax for 2017	Finance & Management
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<a href="#">COMM. 23E-28</a>	COUNTY EXECUTIVE	Real Property Tax Services - Section 520 Exempt Charges for 2017	Finance & Management
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<a href="#">COMM. 23E-29</a>	COUNTY EXECUTIVE	Downtown Pedestrian/Transit Mall Special District - Adoption of Mall District Service Charge Roll for 2017	Finance & Management
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<a href="#">COMM. 23E-30</a>	COUNTY EXECUTIVE	Recommendation to NYS Governor of Appointment to NFTA Board of Commissioners	R&F
<a href="#">COMM. 23E-31</a>	COUNTY EXECUTIVE	Department of Mental Health - Authorization to Accept Grant Funding and Amend Contract Due to SAMHSA Award	Health & Human Services
<a href="#">COMM. 23E-32</a>	COUNTY EXECUTIVE	Department of Central Police Services - Authorization to Contract for Technical Staff and Support	Public Safety
<a href="#">COMM. 23E-33</a>	COMPTROLLER	Approval of Investment Guidelines	Approved
<b><u>COMMUNICATIONS FROM ELECTED OFFICIALS:</u></b>			<b><u>REFERENCE:</u></b>
<a href="#">COMM. 23E-1</a>	MILLER-WILLIAMS	Letter from Buffalo City Mission Regarding Funding in Proposed 2017 Erie County Budget	R&F
<a href="#">COMM. 23E-2</a>	COUNTY EXECUTIVE	EC Sewer District Nos. 1-6 & 8 - Section 270-271 Resolutions	R&F
<a href="#">COMM. 23E-3</a>	COUNTY EXECUTIVE	EC Sewer District No. 3 - Engineer Term Agreement - Work Order URS-8	R&F
<a href="#">COMM. 23E-4</a>	COUNTY EXECUTIVE	EC Sewer District No. 3 - Engineer Term Agreement - Work Order URS-9	R&F
<a href="#">COMM. 23E-5</a>	COUNTY EXECUTIVE	EC Sewer District No. 3 - Flow Monitoring I/I Quantification Agreement - Change Order No. 1	R&F
<a href="#">COMM. 23E-6</a>	COMPTROLLER	Certificate of Determination Relative to the Terms, Form and Details of Sale and Issuance of Bonds	R&F
<a href="#">COMM. 23E-7</a>	COUNTY EXECUTIVE	PILOT Agreement - AP Lofts at Larkinville Project, City of Buffalo - Affordable Housing Development	Economic Development
<a href="#">COMM. 23E-8</a>	COUNTY EXECUTIVE	PILOT Agreement - Ridge Rd Independent Living Project, City of Lackawanna - Affordable Housing Development	Economic Development
<a href="#">COMM. 23E-9</a>	COUNTY EXECUTIVE	Contract with City of Buffalo for Expansion of Hangar Building at the Buffalo & EC Naval & Serviceman's Park	Economic Development
<a href="#">COMM. 23E-10</a>	COUNTY EXECUTIVE	Contract with City of Buffalo for Renovation of Facilities at Buffalo Museum of Science	Economic Development
<a href="#">COMM. 23E-11</a>	COUNTY EXECUTIVE	EC Sewer Districts - 2016 Assessment Rolls (2017 Levy) - Notice of Adoption	Energy & Environment

<a href="#">COMM. 23E-12</a>	COUNTY EXECUTIVE	Contract for Local Solid Waste Management Plans Update	Energy & Environment
<a href="#">COMM. 23E-13</a>	COUNTY EXECUTIVE	Retaining a Consultant to Develop and Host an Online Hot Spot Fishing App	Energy & Environment
<a href="#">COMM. 23E-14</a>	COUNTY EXECUTIVE	EC Utilities Aggregation - Clean Energy Standard Compliance	Energy & Environment
<a href="#">COMM. 23E-15</a>	COUNTY EXECUTIVE	Real Property Tax Services - Delegating Authority for Certain Real Property Tax Refunds and Correction of Tax Bills and Tax Rolls Under \$2500.00 for the Year 2017	Finance & Management
<a href="#">COMM. 23E-16</a>	COMPTROLLER	2016 Revenue Anticipation Note & 2016 Bond Sale Notification	Finance & Management
<a href="#">COMM. 23E-17</a>	COMPTROLLER	Risk Retention Report for Oct. 2016	Finance & Management
<a href="#">COMM. 23E-18</a>	COUNTY EXECUTIVE	Department of Health - Authorization to Transfer EC Waste Pharmaceutical Disposal Program to Health Department	Health & Human Services
<a href="#">COMM. 23E-19</a>	COUNTY EXECUTIVE	Appointments to the EC Youth Services Board	Health & Human Services
<a href="#">COMM. 23E-20</a>	BURKE	Letter to Health Department Commissioner Regarding the Potential Health Effects of the Fire at the Former Bethlehem Steel Factory	Health & Human Services
<a href="#">COMM. 23E-21</a>	COUNTY EXECUTIVE	Department of Emergency Services - Acceptance of FY2016 Hazmat Grant	Public Safety
<a href="#">COMM. 23E-22</a>	SHERIFF	K9 Transfer of Ownership	Public Safety
<a href="#">COMM. 23E-23</a>	RATH	Letter to Central Police Services Commissioner Requesting a Report Concerning the Shut-Down Test of the 911 Back-Up System	Public Safety

**COMMUNICATIONS FROM THE DEPARTMENTS:**

**REFERENCE:**

<a href="#">COMM. 23D-1</a>	CLERK OF THE LEGISLATURE	EC Sewer Districts Nos. 1, 2, 3, 4 & 5 - Sewer District Extensions - Certificates as to No Referendum	R&F
<a href="#">COMM. 23D-2</a>	CLERK OF THE LEGISLATURE	EC Sewer Districts - 2016 Assessment Rolls (2017 Levy) - Minutes of Public Hearing	R&F
<a href="#">COMM. 23D-3</a>	CLERK OF THE LEGISLATURE	EC Sewer District No. 4 - Increase & Improvement of Facilities (2016) - Minutes of Public Hearing	R&F

<a href="#">COMM. 23D-4</a>	CLERK OF THE LEGISLATURE	EC Sewer District No. 6 - Increase & Improvement of Facilities (2016) - Minutes of Public Hearing	R&F
<a href="#">COMM. 23D-5</a>	CLERK OF THE LEGISLATURE	Recommendations for Inclusion Into Existing Agricultural Districts - Minutes of Public Hearing	R&F
<a href="#">COMM. 23D-6</a>	CLERK OF THE LEGISLATURE	Comments Received Regarding Proposed Erie County 2017 Budget	R&F
<a href="#">COMM. 23D-7</a>	CLERK OF THE LEGISLATURE	NYS DEC Documents Received	R&F
<a href="#">COMM. 23D-8</a>	COMMISSIONER, DEPARTMENT OF PUBLIC WORKS	ECC STEM Building Status Report - Oct. 2016	Community Enrichment
<a href="#">COMM. 23D-9</a>	COMMISSIONER, DEPARTMENT OF SOCIAL SERVICES	Letter to Ellicott Development Regarding Leasing Space for Social Services Offices	Finance & Management
<a href="#">COMM. 23D-10</a>	COUNTY ATTORNEY	Report Regarding Review of Use of Outside Counsel by the County Attorney	Finance & Management
<a href="#">COMM. 23D-11</a>	COMPTROLLER'S OFFICE	Follow-Up Letter Regarding Report on EC's Real Property Tax Cap	Finance & Management

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:**

**REFERENCE:**

<a href="#">COMM. 23M-1</a>	NFTA	Oct. 27, 2016 Board Minutes	R&F
<a href="#">COMM. 23M-2</a>	NFTA	Letter Regarding Status of NFTA Negotiations with Several Inter-City Bus Carriers	R&F
<a href="#">COMM. 23M-3</a>	ELLICOTT DEVELOPMENT	Response Letter to County Executive Regarding Leasing Space for Social Services Offices	Finance & Management
<a href="#">COMM. 23M-4</a>	EC COMMUNITY COORDINATING COUNCIL ON CHILDREN & FAMILIES	2016 Report	Health & Human Services
<a href="#">COMM. 23M-5</a>	MWBE UTILIZATION ADVISORY BOARD	Sept. 26, 2016 Meeting Minutes	Minority & Women Business Enterprise

**ANNOUNCEMENTS:**

**MEMORIAL RESOLUTIONS:**

**ADJOURNMENT:**